

Application No.: S.N. 10/082,183
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AMENDMENTS TO THE DRAWINGS

The attached replacement sheet for Figs. 1A and 1B, includes changes to only Fig. 1A so as to correct minor labeling informalities regarding layers 109 and 110 therein. The corrections effected are in line with the Examiner's suggestion in the last Office Action and are consistent with the related description on page 19 of the Specification. Copies of the annotated drawing sheet (including corrections made to Fig. 1A) and replacement sheet of drawing Figs. 1A and 1B are attached herewith as **Appendix A**.

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REMARKS

Withdrawal of the above-identified application from Appeal as well as withdrawal of the finality of the last Office Action and formal acceptance of the above amendments as well as with regard to the accompanying IDS as a submission in connection with USPTO RCE practice is respectfully requested.

Fig. 1A of the drawings was amended to remove obvious informalities therein, which were brought to the applicant's attention with regard to the last Office Action. The corrections being effected therein, namely, correcting the referencing of the numerals applied to thin layers 109 and 110, is consistent with the related discussion on page 19 of the Specification and is in line with the Examiner's suggestion in the last Office Action. It is further noted that the present correction being effected in Fig. 1A of the drawings is also consistent with the labeling of corresponding thin film layers 109 and 110 shown in Fig. 2A of the drawings. Since these revisions are strictly of a minor nature, acceptance/formal entry of the accompanying replacement sheet is respectfully requested.

Independent claim 5 is being amended in consideration of obviating a previously standing rejection thereto. The revision being made to claim 5, it is submitted, is in line with accepted practice regarding recitation of such equations and is in line with the Examiner's suggestion. In view of the remedial action taken with regard to claim 5, the outstanding rejection under 35 USC § 112, second paragraph, directed thereto, is traversed and reconsideration and withdrawal of the same is respectfully requested.

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Applicants note with appreciation that independent claim 5 would be deemed allowable upon obviating the above-noted rejection thereto. Since applicants consider that this rejection has been overcome in view of the above-made amendments, formal indication of allowability of claim 5 is respectfully requested.

With the above-made amendments, also, all of the previously standing art rejections have been rendered moot. That is, independent claim 4 as well as claims 27-57 are being canceled. Therefore, the previously standing final rejections directed thereto have been rendered moot. Further, the claim dependencies of claims 6, 11, 13-17, 19 and 20 were changed so that they are now dependent on allowable independent claim 5. Correspondingly, dependent claim 24 was amended (to avoid duplication with dependent claim 25) so that it is now dependent on intervening claim 20 (which depends on base claim 5). In other words, all of the currently pending dependent claims are now dependent on allowable claim 5. Therefore, since claim 5 is deemed allowable, certainly the corresponding dependent claims thereof are likewise allowable for the same and similar reasons.

Concurrently filed herewith, also, and as part of this Submission, is an Information Disclosure Statement (IDS) making known art documents cited in an Office Action in connection with the counterpart foreign (priority) application. Acceptance/formal entry therefor of the same is respectfully requested.

Withdrawal of the above-identified application from Appeal as well as withdrawal of the previously standing finality is respectfully requested. Also, examination and favorable action on all of the presently pending claims in view of the

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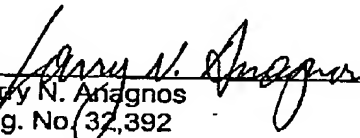
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above-made amendments, i.e., claims 5-26, and an early formal notification of allowability is respectfully requested.

If the Examiner believes that there are any other points which may be clarified or otherwise disposed of either by telephone discussion or by personal interview, the Examiner is invited to contact Applicants' undersigned representative at the number indicated below.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Antonelli, Terry, Stout & Kraus, LLP Deposit Account No. 01-2135 (Docket No. 500.41280X00), and please credit any excess fees to such Deposit Account.

Respectfully submitted,
ANTONELLI, TERRY, STOUT & KRAUS, LLP

By 
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